

Remarks

Claims 1-15 stand rejected under 35 U.S.C. § 102 as being anticipated by McGregor (IPMP draft-mcgregor-ipmp-00.txt). Applicant respectfully traverses the rejection.

As best understood, the Examiner appears to generally agree that McGregor does not explicitly disclose to “include in the IPMP packet instruction for a recipient to insert any additional data desired by the recipient in the IPMP packet when forwarding the IPMP packet”, as explained in Applicant’s previous response. The, Examiner however considers an alleged act in McGregor of providing a specific field for the recipient to insert performance data to be an “instruction for the recipient to insert additional data.” Final Office action, pg. 3. Applicant respectfully disagrees with the Examiner’s logic.

Providing “specific field” for the recipient to insert a “specific kind of data” (e.g. performance data) is not an instruction to insert additional data. First, providing a field is not an instruction. Second, providing specific data in a dedicated field for that data is not additional data, it would likely be “required data” to be provided, rather than “additional data desired by the recipient,” as recited by the claims. The fact that a field was created to receive the specific data is at best a request for that specific data from the recipient, rather than an instruction to provide any additional data desired by the recipient to be provided.

The Examiner is respectfully reminded that the claims must be broadly read and interpreted in light of the specification. Applicant’s disclosure discusses echo responses to collect several types of information from recipient elements. The present claims recite an instruction to insert any additional data desired by the recipient, which must read in

light of requests to provide specific data, otherwise, the term “additional” is vitiated from the claim. McGregor clearly does not disclose an instruction to provide “additional data”.

Accordingly, when properly construed, McGregor does not disclose each and every claim limitation, and particularly does not disclose to provide an instruction to a recipient to insert any additional data designated by the recipient in the IPMP packet.

Hence, Applicant respectfully requests the rejection to be withdrawn.

To the extent an extension of time is needed for consideration of this response, Applicant hereby request such extension and, the Commissioner is hereby authorized to charge deposit account number 502117 for any fees associated therewith.

Respectfully submitted,

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